UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: SILAS DANIEL ELKINS and   : CHAPTER 13
         STACI MARIE ELKINS   :
           Debtor(s)   :
                              :

      CHARLES J. DEHART, III   :
      STANDING CHAPTER 13 TRUSTEE :
         Movant   :
                              :
         vs.   :
                              :

      SILAS DANIEL ELKINS and   :
      STACI MARIE ELKINS   :
         Respondent(s)   : CASE NO. 1-19-bk-02824

TRUSTEE'S OBJECTION TO CHAPTER 13 PLAN

      AND NOW, this 15th day of August, 2019, comes Charles J. DeHart, III, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced debtor(s)' plan for the following reason(s):

      1. Debtor(s)' plan violates 11 U.S.C. Sec. 1322(a)(1) in that the debtor(s) has not submitted all or such portion of the disposable income to the Trustee as required. More specifically,

      Trustee alleges and avers that debtor(s)' disposable income is greater than that which is committed to the plan based upon the Means Test calculation and specifically disputes the following amounts:

      a. Plan payment calculation sum of Lines 34, 35, 36 45.

      2. The Trustee avers that debtor(s)' plan is not feasible based upon the following:

      a. The plan is underfunded relative to claims to be paid – 100% plan.

      WHEREFORE, Trustee alleges and avers that debtor(s) plan is nonconfirmable and therefore Trustee prays that this Honorable Court will:

      a. Deny confirmation of debtor(s) plan.
      b. Dismiss or convert debtor(s) case.
      c. Provide such other relief as is equitable and just.

                Respectfully submitted:

                /s/Charles J. DeHart, III
                Standing Chapter 13 Trustee
                8125 Adams Drive, Suite A
                Hummelstown, PA 17036
                (717) 566-6097

<u>CERTIFICATE OF SERVICE</u>

AND NOW, this   27th   day of August, 2019, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Harrisburg, Pennsylvania, postage prepaid, first class mail, addressed to the following:

Mark Buterbaugh, Esquire
230 York Street
Hanover, PA   17331

/s/Deborah A. Behney
Office of Charles J. DeHart, III
Standing Chapter 13 Trustee